

REISSUE LITIGATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:) Group Art Unit: 1655
U.S. Patent No. 5,570,338)
Mark L. Collins <i>et al.</i>) Examiner: Johannsen
)
Reissue Serial No. 09/533,906)
) Atty. Docket No. Collins Reissue Protest
Reissue Application Filed: March 8, 2000)
)
For: TARGET AND BACKGROUND CAPTURE)
METHODS WITH AMPLIFICATION FOR)
AFFINITY ASSAYS)

TRANSMITTAL LETTER

Attn: REISSUE LITIGATION BOX 7
 Commissioner for Patents
 Washington, D.C. 20231

Sir:

Attached are the following documents pertaining to the above-referenced Reissue

Litigation:

1. Supplemental Information Disclosure Statement for Protest Under 37 CFR § 1.291 - 3 pgs.;
2. PTO Form 1449 - 1 pg. (in duplicate - 2 pgs. total);
3. One Reference (U.S. Pat. No. 4,957,858, Chu *et al.*);
4. Proof of Service to: Jean Burke Fordis of Finnegan, Henderson, Farabow, Garrett, & Dunner, LLP, 1300 I Street, N.W., Washington, D.C. 20005 - 2 pgs.;
5. Return/Pre-Paid Postcard

09533906-030000

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 DIVISION OF PATENT & TRADEMARKS
 MARCH 20 2001

CERTIFICATE OF DELIVERY

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being hand delivered to Group Art Unit 1655 on the date indicated below addressed to the Commissioner for Patents, Reissue Litigation Box 7, Commissioner for Patents, Washington, D.C. 20231.

3/26/01
 Date of Delivery

Roger HERBERTS
 Name of Person Delivering Paper

[Signature]
 Signature of Person Delivering Paper

PROTEST UNDER 37 C.F.R. § 1.291(a)

REISSUE LITIGATION

TRANSMITTAL LETTER

Reissue App. of U.S. Patent No. 5,570,338
Mark L. Collins *et al.*

Atty. Docket No. Collins Reissue Protest

Reissue Application Filed: March 8, 2000

The enclosed documents are being hand-delivered as evidenced by the Certificate of Delivery on page one of this Transmittal Letter.

No fee is believed due in connection with this filing. If, however, Applicant is in error and a fee is due, please debit Deposit Account No. 07-0835 the appropriate amount.

Respectfully submitted,



Peter R. Shearer
Reg. No. 28,117

Dated: March 23, 2001

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
U.S. Patent No. 5,750,338

Mark L. Collins *et al.*

Reissue Serial No. 09/533,906

Reissue Application Filed: March 8, 2000

For: TARGET AND BACKGROUND
CAPTURE METHODS WITH
AMPLIFICATION FOR AFFINITY
ASSAYS

Group Art Unit: 1655

Examiner: D. Johansen

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PROOF OF SERVICE

ATTENTION: REISSUE LITIGATION BOX 7

Commissioner for Patents
Washington, D.C. 20231

09533906-030800

I, Kellee Clinton, do hereby declare as follows:

1. I am over the age of eighteen years, and not a party to this proceeding.
2. My business address is 10210 Genetic Center Drive, San Diego, California 92121.
3. On 8/23/01, I served the following documents in the manner described in

Paragraph 4:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT – 3 pgs.;

PTO FORM 1449 – 1 pg.;

ONE (1) REFERENCE (U.S. Pat. No. 4,957,858, Chu *et al.*);

TRANSMITTAL LETTER TO PTO – 2 pgs.; and

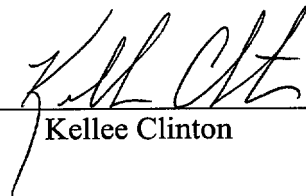
COPY OF RETURN/PREPAID POSTCARD TO PTO.

4. On 3/23/01, I served the documents listed in Paragraph 3 by placing a copy of each of the documents in an envelope, sealing the envelope, and, with postage fully prepaid, placing the envelope for deposit with the United States Postal Service on the same day, at my business address shown above, following ordinary business practices, addressed to:

Jean Burke Fordis, Reg. No. 32,984
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P
Suite 700
1300 I Street, N.W.
Washington, D.C. 20005-3315

I hereby declare under the laws of the United States of America that all statements made herein are true of my own knowledge and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Executed at San Diego, California on MARCH 23, 2001



Kellee Clinton

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